



FEDERAL ELECTION COMMISSION
WASHINGTON, D C. 20463

MEMORANDUM

TO: THE COMMISSION
STAFF DIRECTOR
GENERAL COUNSEL
CHIEF COMMUNICATIONS OFFICER
FEC PRESS OFFICE
FEC PUBLIC DISCLOSURE

FROM: COMMISSION SECRETARY *MWR*

DATE: FEBRUARY 24, 2009

SUBJECT: *Ex Parte* Communication Regarding
Advisory Opinion 2009-04

Transmitted herewith is an *ex parte* communication received by Commissioner Cynthia L. Bauerly regarding the above-captioned matter.

Attachment:



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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2009 FEB 23 P 5:53

MEMORANDUM

To: Commission Secretary

From: Commissioner Cynthia L. Bauerly *CB*

Date: February 23, 2009

Re: *Ex Parte* Communication
Advisory Opinion 2009-04

Today I received a phone call from Marc Elias of the Perkins Coie law firm regarding his request for an Advisory Opinion on behalf of his clients the Democratic Senatorial Campaign Committee and the Al Franken for U.S. Senate Committee. He stated that he was calling to bring to my attention that the request included a request for an expedited answer due to ongoing litigation regarding the election contest. He also stated that although we were not discussing the substance of the request, he understood that I may consider the telephone call about the timing of the answer an *ex parte* communication that would be placed on the public record.